

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:20-cv-00095

Kenneth Earl Thomas, Jr.,

Plaintiff,

v.

Gregg County Jail et al.,

Defendants.

ORDER

Plaintiff Kenneth Earl Thomas, Jr., an inmate at Gregg County Jail proceeding pro se and in forma pauperis, filed this lawsuit complaining of civil rights violations by defendants. Doc. 1. This case was referred to United States Magistrate Judge K. Nicole Mitchell. Doc. 3.

On May 8, 2020, Judge Mitchell entered a report recommending that plaintiff's lawsuit be dismissed without prejudice for failure to comply with an order of the court. Doc. 8. Plaintiff filed a letter with the court explaining that he could not respond to the magistrate judge's report because he only had a pencil, not an ink pen. Doc. 9. The magistrate judge subsequently issued an order clarifying that the court accepts pleadings in pencil. Doc. 10. The order granted plaintiff an additional five weeks in which to either file objections to the magistrate judge's report or to comply with the court's orders directing payment of an initial partial filing fee and to file an amended complaint. *Id.* That extended deadline has since elapsed, and plaintiff has not contacted the court in any manner.

When there have been no timely objections to a magistrate judge's report and recommendation, the record is only reviewed for clear error. *Douglass v. United Servs. Auto. Ass'n.*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report, and being satisfied that it contains no

clear error, the court **accepts** its findings and recommendations. The court **orders** that the above-styled civil action is **dismissed without prejudice**.

So ordered by the court on February 22, 2021.

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER
United States District Judge